

## REMARKS

Claims 1-36 are pending.

Claims 1-36 stand rejected.

Claims 7-9, 13-15, 23 and 29 are amended herein.

Claims 37-40 are new. No new matter has been added.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 1-36 stand rejected under 35 U.S.C. § 103(a) according to U.S. Patent No. 6,646,765 (Barker et al.) in view of U.S. Patent No. 3,928,719 (Sasabe).

The rejection is traversed. Claim 1 recites an image apparatus comprising:

- a scanner adapted to scan a first document;
- a memory adapted to store image data corresponding to said first document;
- a signal control device adapted to generate a notify signal in response to said image data being stored in said memory; and
- a switch control device adapted to receive a signal to display said document on a display device, and further adapted so that said scanner has the capability to scan a next document substantially concurrently with a displaying of the first document.

The Examiner suggests that the CPU 46 of Barker discloses the signal control device of claim 1, which is adapted to generate a notify signal in response to said image data being stored in memory. As Applicant best understands, the Examiner has referenced column 3, lines 24-38 and various figures illustrating computer systems as disclosing the notify signal. The specific reference to column 3 lines 24-38 mention that a system interface 44 receives and exchanges data and commands from a computer 14, but does not teach or suggest a signal control device adapted to generate a notify signal in response to said image data being stored in said memory, as recited by claim 1. Additional sections of Barker indicate that a read-out display 30 (column 3, lines 57-59), an interface panel 26 (column 4, lines 10-13) and a peripheral interface circuitry 50 (column 4, lines 60-65) may also be provided to transmit and receive data, however none of these devices are identified as generating a notify signal. However, Barker does not teach or

suggest a signal control device adapted to generate a notify signal in response to said image data being stored in said memory, as relied upon by the Examiner in rejecting claim 1.

The Examiner acknowledges on page 3, section 5 of the June 28, 2007 Office Action that Barker does not disclose the switch control device of claim 1. Instead, the Examiner identifies Sasabe as disclosing the remaining features of claim 1 directed to the switch control device. Specifically, The Examiner identifies the switch circuit 106 of FIG. 8 as disclosing the switch control device of claim 1, and the television signal and the image feedback signal of Sasabe as disclosing the first and next scanned documents. The television signal is not a scanned document, as recited by claim 1. The television signal is not scanned by the device 81 of Sasabe, let alone a scanner, rather the television signal is intercepted by an antenna 95 and coupled to the switching circuit 106 by a tuner 96 (column 5, lines 34). According to Sasabe at column 5 lines 31-50, a reproduction of a television signal and an image feedback signal are displayed concurrently. Apart from the television signal not being a scanned document, Sasabe merely teaches that the two signals are displayed concurrently, not that the next document is scanned substantially concurrently with a displaying of the first document. Sasabe teaches that both signals are displayed concurrently on the device 81 as a multiple display of deteriorated fidelity (column 5 lines 34-45).

Claims 2-8 and new claim 38 depend on claim 1 and are allowable for the same reasons as claim 1 in addition to the further novel features recited therein. While Applicant does not agree that the original claims are made obvious by the Baker and Sasabe references, claims 7 and 8 are amended without prejudice to further clarify the claim language in order to expedite prosecution. For example amended claim 7 recites the apparatus according to claim 1, wherein said notify signal and said scanning signal indicate an availability of said first document and said next document for display. Amended claim 8 recites the apparatus according to claim 1, wherein said scanning signal indicates when the scanning of said next document has finished. Withdrawal of the rejection of claims 1-8 is respectfully requested.

Claim 38 includes the further novel features wherein the signal control device of claim 1 is further adapted to generate a scanning signal corresponding to a scanning status of said next document being scanned, said scanning signal capable of being displayed on said display device together with said first document.

Independent claims 9, 15, 23, 29 and 33 recite some of the same features as claim 1, and are therefore allowable for the same or similar reasons as well as the further novel features recited therein. For example, claim 9 recites, in part, an image scanning system wherein a signal control device is further adapted to produce a scanning signal corresponding to a scanning status of said second document. Claim 39 recites further novel features wherein said display switch of claim 9 is further adapted to receive and display said scanning signal on said display device. Claim 23 recites, in part, a scanning method, comprising displaying a notify signal on a display device to notify a user of an availability of said document for display on said display device. New claim 40, depending from claim 23, recites the further novel features of displaying a next image signal on said display device to notify the user of an availability of said second document for display on said display device. Barker and Sasabe do not teach, suggest or otherwise disclose, *inter alia*, a scanning signal corresponding to a scanning status of said second document or displaying a next image signal on the display device. Claims 10-14, 16-22, 24-28, 30-32 and 34-36 are allowable as depending on allowable independent claims, and for the further novel features recited therein. Withdrawal of the rejection of claims 9-36 is respectfully requested.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. In some cases Applicant may have amended or argued the allowability of independent claims thereby obviating grounds for rejection of the dependent claims.

### **Conclusion**

For the foregoing reasons, the Applicant requests reconsideration and allowance of claims 1-40 of the application as amended. The Examiner is encouraged to telephone the undersigned at (503) 706-4522 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

A handwritten signature in cursive script, reading "Bryan D. Kirkpatrick", written over a horizontal line.

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